



October 22, 2019

BY ECF

Judge Paul A. Engelmayer
United States District Court for the Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square, Room 2201
New York, NY 10007

Re: *Doe v. Lima et al.* (14-cv-2953)

Dear Judge Engelmayer:

The parties write jointly to advise the Court that despite their good-faith efforts, they have been unable to reach a negotiated resolution of the litigation. Although the Court's rules at this stage provide for the setting of a trial date and submission of a proposed joint pretrial order together with motions *in limine*, proposed *voir dire* questions, and any pretrial memoranda, the parties believe that Your Honor's ruling with regard to certain motions *in limine* will renew interest of the parties in working toward settlement. Thus, prior to the parties' undertaking the other significant expenses attendant to trial preparation, including drafting the joint pretrial order, *voir dire* questions, and any pretrial memoranda, we respectfully request that the Court set a briefing schedule for motions *in limine*, after which the parties will request time to re-engage with settlement discussions. If no negotiated resolution is reached, the Court would then set a trial date and deadline for submission of all other pretrial filings. If proceeding in this manner is acceptable to the Court, we propose that the parties submit any motions *in limine* by November 25, 2019, with oppositions due on December 9, 2019.

Respectfully submitted,

/s/ Blair R. Albom

Blair R. Albom
Friedman Kaplan Seiler & Adelman LLP
Attorneys for Plaintiffs

/s/ Nathan S. Richards

Nathan S. Richards
Debevoise & Plimpton LLP
Attorneys for Plaintiffs

/s/ Karena Rahall

Karena Rahall
Office of the Appellate Defender
Attorneys for Plaintiffs

/s/ Edward Michael Kratt

Edward Michael Kratt
Of Counsel to Hammock & Sullivan PC
Attorneys for Defendant Rosado

Judge Paul A. Engelmayer

- 2 -

October 22, 2019

/s/ Lawrence Henry Schaefer

Lawrence Henry Schaefer
Lippes Mathias Wexler & Friedman LLP
Attorneys for Defendants Lima and Valerio

/s/ Robert A. Soloway

Robert A. Soloway
Rothman Schneider Soloway & Stern LLP
Attorneys for Defendant Cappiello

/s/ Goetz L. Vilsaint

Goetz L. Vilsaint
Law Office of Goetz L. Vilsaint
Attorneys for Defendant Scott

10/22/19

Granted. Motions *in limine* are due by November 25, 2019. Oppositions, if any, are due on December 9, 2019. The Court will set a trial date and deadline for submission of all other pretrial filings after resolving the motions *in limine*.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge